

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARY LABARBERA and FRANK FINKEL,
Trustees of Local 282 International Brotherhood
Brotherhood of Teamsters Welfare, Pension,
Annuity, Job Training and Vacation Sick Leave
Trust Funds,

JUDGMENT
06-CV- 5022 (CPS)

Plaintiffs,

-against-

T&M SPECIALITIES LTD. and
M. FINE LUMBER CO. INC.,

Defendants.
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An Order of Honorable Charles P. Sifton, United States District Judge, having been filed on October 23, 2007, directing the Clerk of Court to enter the Judgment on Notice which was so ordered by the Court on October 17, 2007; it is

ORDERED and ADJUDGED that plaintiffs Gary LaBarbera and Frank Finkel, as Trustees of Local 282 International Brotherhood of Teamsters Welfare, Pension, Annuity, Job Training and Vacation/Sick Leave Trust Funds, recover of defendant, T&M Specialities Ltd., the sum of \$5,958.14 in unpaid contributions, plus interest of \$3,108.67 at the rate of 18% per annum, beginning from November 30, 2004 to the entry of judgment; the sum of \$27,547.41 in unpaid contributions, plus interest of \$3,206.06 at the rate of 18% per annum, beginning from March 2, 2007 to the date of entry of judgment; the sum of \$3,994.03 in unpaid contributions, plus interest of \$646.05 at the rate of 18% per annum, beginning from November 30, 2006 to the date of entry of judgment; plus the sum of \$7,499.92 in liquidated damages on the sum of unpaid contributions; plus the sum of \$4,587.94 in interest, with \$22,954.28 in liquidated damages on the payments that were made late, and that sum of \$17,963.62 in attorney fees, costs and disbursements, amounting in all

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to the sum of \$97,466.34, and that the plaintiffs have execution therefor, it is further,

ORDERED and ADJUDGED that defendant and its agents, directors, officers, successors, heirs and assign, shall not, for so long as they remain obligated to contribute to the plaintiffs FUNDS, fail, refuse or neglect to submit required contribution reports and payments in accordance with the rules of the Fund, and it is further,

ORDERED and ADJUDGED that any and all amounts awarded plaintiffs FUNDS shall be without waiver of or prejudice to the rights of the Trustees of Local 282 I.B. of T. pertaining to the posting of a surety bond or alternate security, and to audit the books and records of defendant T&M SPECIALITIES LTD., for all periods, inclusive of the time period encompassed in the Complaint, and/or subject the time period to other means of verification, and to collect any additional contributions, interest, liquidated damages, audit fees and attorneys' fees and costs found to be due and owing for said periods as a result of the audit or other means of verification.

Dated: Brooklyn, New York
October 24, 2007

ROBERT C. HEINEMANN
Clerk of Court